

AMENDMENTS TO THE CLAIMS

1-41 (Canceled)

42. (Previously Presented) An immunostimulatory nucleic acid, having a sequence including at least the following formula:

5' TCGTCGTTTTGTCGTTTTGTCGTT 3' (SEQ ID No. 46)

wherein the nucleic acid has less than or equal to 100 nucleotides, and wherein C is unmethylated.

43. (Previously Presented) The immunostimulatory nucleic acid of claim 42, wherein at least one nucleotide has a phosphate backbone modification and wherein the phosphate backbone modification is a phosphorothioate or phosphorodithioate modification.

44. (Previously Presented) The immunostimulatory nucleic acid of claim 42, wherein at least one nucleotide has a phosphate backbone modification and wherein the phosphate backbone modification occurs at the 5' end of the nucleic acid.

45. (Previously Presented) The immunostimulatory nucleic acid of claim 42, wherein at least one nucleotide has a phosphate backbone modification and wherein the phosphate backbone modification occurs at the 3' end of the nucleic acid.

46-50. (Canceled)

51. (Previously Presented) The immunostimulatory nucleic acid of claim 42, wherein the immunostimulatory nucleic acid is less than 40 nucleotides in length.

52-57. (Canceled).

58. (Previously Presented) The immunostimulatory nucleic acid of claim 42, wherein the immunostimulatory nucleic acid has a sequence consisting of TCGTCGTTTTGTCGTTTTGTCGTT (SEQ ID No. 46).

59. (Previously Presented) The immunostimulatory nucleic acid of claim 58, wherein each internucleotide linkage has a phosphorothioate modification.

60. (Previously Presented) The immunostimulatory nucleic acid of claim 58, further comprising an antigen.

61. (Previously Presented) The immunostimulatory nucleic acid of claim 60, wherein the antigen is a vaccine and further comprising a conventional adjuvant.

62-73. (Canceled)

74. (Previously Presented) The immunostimulatory nucleic acid of claim 42, wherein the immunostimulatory nucleic acid is formulated as a composition with a pharmaceutically acceptable carrier.